



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND
WATERSHEDS

NOV 23 2012

The Honorable Chairman Rudy Peone
Spokane Tribe of Indians
P.O. Box 100
Wellpinit, Washington 99040

Dear Chairman Peone:

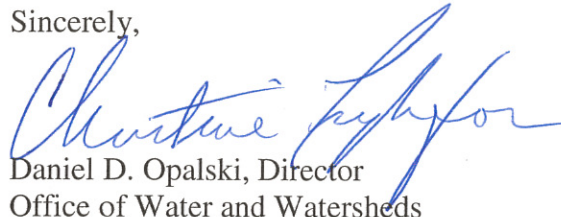
This letter is in regards to tribal consultation for the issuance of National Pollutant Discharge Elimination System (NPDES) permits for the City of Coeur d'Alene, City of Post Falls, and the Hayden Area Regional Sewer Board.

The U.S. Environmental Protection Agency is planning to public notice draft NPDES permits for the above listed facilities, which are located upstream of the Spokane Indian Reservation. The EPA believes these permits may affect the quality of waters of the Spokane Tribe of Indians. Therefore, consistent with our government-to-government relationship and with the requirements of Section 401(a)(2) of the Clean Water Act, we are providing a preliminary draft permit and fact sheet for your review prior to the public comment period. These preliminary draft permits have been updated to incorporate conditions specified by the State of Idaho in its draft Clean Water Act Section 401 certifications of the permits. The draft permits also propose to require the permittees to participate in the Spokane River Regional Toxics Task Force.

Please return your comments by e-mail to Brian Nickel, of my staff, at Nickel.Brian@epa.gov by the close of business on Friday, December 14th. The enclosed documents are not available to the general public yet. Therefore, please do not release them to external parties until the formal public comment period is in effect. Also, because the Tribe may also submit comments on the draft permits during the public comment period, we request that your comments focus on significant concerns that the Tribe may have with the draft permits as written. Prior to the public comment period, you will receive notice via letter.

We hope this early consultation will prove helpful. If you have any questions or concerns about the permit or permitting process, please contact Brian Nickel, of my staff, at (206) 553-6251 or Nickel.Brian@epa.gov.

Sincerely,


Daniel D. Opalski, Director
Office of Water and Watersheds

Enclosures

cc: Mr. Brian Crossley, Spokane Tribe of Indians Department of Natural Resources